

Senate Bill 51

By: Senators Thompson of the 14th, Anavitarte of the 31st, Harbin of the 16th, Payne of the 54th, Robertson of the 29th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to other educational programs under the "Quality Basic Education Act,"  
3 so as to authorize home study students in grades six through 12 to participate in  
4 extracurricular and interscholastic activities in the student's resident public school system;  
5 to provide that home study students shall complete one qualifying course during any  
6 semester the student participates in an extracurricular or interscholastic activity in the  
7 student's resident public school system; to provide for eligibility requirements; to provide for  
8 participation at a particular public school; to provide for participation fees; to provide for  
9 definitions; to amend Code Section 20-2-690 of the Official Code of Georgia Annotated,  
10 relating to educational entities and requirements for private schools and home study  
11 programs, so as to provide parents and guardians authority to execute documents for  
12 verification purposes; to provide for a short title; to provide for related matters; to repeal  
13 conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 This Act shall be known and may be cited as the "Dexter Mosely Act."

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**SECTION 2.**

18 Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
19 relating to other educational programs under the "Quality Basic Education Act," is amended  
20 by adding a new Code section to read as follows:

21 "20-2-319.6.

22 (a) As used in this Code section, the term:

23 (1) 'Athletic association' means any association of schools or any other similar  
24 organization which acts as an organizing, sanctioning, scheduling, or rule-making body  
25 for interscholastic activities in which public schools in this state participate.

26 (2) 'Extracurricular activities' means public school-sponsored activities in which students  
27 take part on a voluntary basis; which do not offer or provide school or course credits;  
28 which are generally conducted outside regular school hours or, if conducted in whole or  
29 in part during regular school hours, at times agreed to by the participants and approved  
30 by a school official; and which are managed and operated under the guidance of a  
31 teacher, other school employee, or other adult approved by a school official. Examples  
32 of extracurricular activities include but are not limited to intramural and interscholastic  
33 athletics; band, chorus, and other musical activities; drama and other theatrical activities;  
34 and school clubs and organizations as provided in subsection (a) of Code Section  
35 20-2-705.

36 (3) 'Home study student' means any student in grades six through 12 who is in a home  
37 study program that meets the requirements of subsection (c) of Code Section 20-2-690.

38 (4) 'Interscholastic activities' means extracurricular activities, public school-sponsored  
39 athletic programs, and other public school-sponsored programs that are sanctioned or  
40 supported by a state-wide interscholastic activities governing body, including but not  
41 limited to an athletic association.

42 (5) 'Qualifying course' means an online course facilitated by the home study student's  
43 resident school system:

44 (A) By applying one or more of the mechanisms provided in paragraphs (1) through (4)  
45 of subsection (b) of Code Section 20-2-319.4;

46 (B) By way of a dual enrollment course as provided in Code Section 20-2-161.3; or

47 (C) By way of an on-site course required for participation in the designated  
48 extracurricular and interscholastic activities.

49 (6) 'Resident school' means the public school in which a home study student would be  
50 enrolled based on his or her residence.

51 (7) 'Resident school system' means the public school system in which a home study  
52 student would be enrolled based on his or her residence.

53 (b) A home study student shall be eligible to participate in extracurricular activities and  
54 interscholastic activities under the sponsorship, direction, and control of the resident school  
55 or resident school system, provided that each of the following requirements is met:

56 (1) At least 30 calendar days before the first school day of the semester in which a home  
57 study student will enroll in a qualifying course as provided in subparagraph (A) of  
58 paragraph (2) of this subsection, a parent or guardian of the home study student provides  
59 to the principal of the resident school and the superintendent of the resident school  
60 system:

61 (A) Written notice that the home study student intends to participate in one or more  
62 specified extracurricular or interscholastic activities as a representative of the resident  
63 school or resident school system; and

64 (B) A copy of the home study student's most recent annual progress assessment report,  
65 as provided for in paragraph (8) of subsection (c) of Code Section 20-2-690, along with  
66 written verification by the home study program instructor that the home study student  
67 is currently receiving a passing grade in each home study program course, is  
68 maintaining satisfactory progress toward advancement, and meets the requirements for  
69 participation in the specified extracurricular or interscholastic activity;

70 (2) For any semester of the regular school year during any part of which the home study  
71 student participates in an extracurricular or interscholastic activity, the home study  
72 student enrolls in and attempts to complete one qualifying course;

73 (3) The home study student meets established age, academic, behavioral, conduct,  
74 disciplinary, physical examination, residence, zoning, and other rules and requirements  
75 applicable to all students for participation in the specified extracurricular or  
76 interscholastic activity and provides any supporting documentation required by the  
77 resident school;

78 (4) The home study student abides by the same student code of conduct and disciplinary  
79 measures and transportation policies as students enrolled at the resident school who are  
80 participating in the same extracurricular or interscholastic activity as the home study  
81 student;

82 (5) The home study student completes the tryout process or the equivalent for  
83 participation in the specified extracurricular or interscholastic activity applicable to all  
84 students for participation in the specified extracurricular or interscholastic activity and  
85 provides any supporting documentation required by the resident school; and

86 (6) For an extracurricular or interscholastic activity which involves a competitive  
87 selection process, the home study student is selected.

88 (c) A student who withdraws from a public school to participate in a home study program  
89 shall be ineligible for participation in any extracurricular or interscholastic activity for 12  
90 months from the date of the declaration of intent to utilize a home study program provided  
91 to the Department of Education as provided under paragraph (2) of subsection (c) of Code  
92 Section 20-2-690; provided, however, that such 12 month restriction on eligibility may be  
93 waived due to hardship according to the same rules and procedures applied by a resident  
94 school, a resident school system, or an athletic association to receive, review, and grant or  
95 deny hardship waiver applications on behalf of students who attend public or private  
96 schools.

97 (d) For purposes of this Code section, participation in an extracurricular or interscholastic  
98 activity includes participation in the following school-sponsored activities related to the  
99 extracurricular or interscholastic activity: tryouts; off-season practice, rehearsal, or  
100 conditioning; summer/holiday practice, rehearsal, or conditioning; in-season practice,  
101 rehearsal, or conditioning; and all exhibitions, contests, and competitions, including  
102 scrimmage, preseason, regular season, postseason, and invitational.

103 (e) A resident school, a resident school system, or an athletic association shall not deny a  
104 home study student the opportunity to try out and participate if selected in any  
105 extracurricular or interscholastic activities available in the resident school or resident  
106 school system if the student meets the requirements contained in subsection (b) of this  
107 Code section and is not ineligible under subsection (c) of this Code section.

108 (f) No public high school which receives funding under this article shall participate in,  
109 sponsor, or provide coaching staff for interscholastic activities which are conducted under  
110 the authority of, conducted under the rules of, or scheduled by any athletic association that  
111 does not deem eligible for participation a home study student who meets the requirements  
112 contained in subsection (b) of this Code section and is not ineligible under subsection (c)  
113 of this Code section.

114 (g) Home study students shall participate in extracurricular or interscholastic activities on  
115 behalf of such home study student's resident school.

116 (h) The specific assigned program of each home study student enrolled in a qualifying  
117 course shall be included for a one-sixth segment of the school day, or the block scheduling  
118 equivalent, by the home study student's resident school system in reports made to the  
119 Department of Education as provided in subsection (a) of Code Section 20-2-160."

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**SECTION 3.**

121 Code Section 20-2-690 of the Official Code of Georgia Annotated, relating to educational  
122 entities and requirements for private schools and home study programs, is amended by  
123 revising paragraph (6) of subsection (c) as follows:

124 "(6) The parent or guardian shall have the authority to execute any document required  
125 by law, rule, regulation, or policy to evidence the enrollment of a child in a home study  
126 program, the student's full-time or part-time status, the student's grades, or any other  
127 required educational information. This shall include, but not be limited to, documents for  
128 purposes of verification of enrollment by the Department of Driver Services, for the  
129 purposes set forth in subsection (a.1) of Code Section 40-5-22, documents required  
130 pursuant to Chapter 2 of Title 39 relating to employment of minors, documents for  
131 purposes of verification as set forth in subsection (b) of Code Section 20-2-319.6, and any  
132 documents required to apply for the receipt of state or federal public assistance;"

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**SECTION 4.**

134 All laws and parts of laws in conflict with this Act are repealed.